

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NICHOLAS H. PLACHY,

Defendant.

**4:12CR3049**

**FIDNINGS, RECOMMENDATION, AND  
ORDER**

At the conclusion of the hearing on September 10, 2012, I stated my conclusions on the record and my decision to recommend that the motion to suppress be denied. In accordance with that announcement,

IT HEREBY IS RECOMMENDED to the Honorable John M. Gerrard, United States District Judge, that the motion to suppress, (filing no. 23), be denied in all respects.

FURTHER, IT HEREBY IS ORDERED,

1. The clerk shall cause a transcript of the hearing to be prepared and filed.
2. Counsel are given ten days from the date the transcript is available to counsel for reading in the clerk's office in which to file objections to this recommendation. The parties are notified that failure to object may be held to be a waiver of the right to appeal the district judge's adoption of the recommendation.
3. Trial of this matter is set to commence at 9:00 a.m., October 16, 2012 before the Honorable John M. Gerrard in Courtroom 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Jury selection will be held at commencement of trial.

September 10, 2012.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge